

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**VERONICA LASSITER,**

**Plaintiff,**

**v.**

**No. 17-cv-0850 JCH/SMV**

**HIDALGO MEDICAL SERVICES and  
DAN OTERO,**

**Defendants.**


**ORDER AWARDING EXPENSES UNDER RULE 37**

THIS MATTER is before the Court on Plaintiff's counsel's Declaration in Support of Attorneys' Fees and Costs [Doc. 158], filed on August 9, 2018. The Court granted in part Plaintiff's Motion to Compel [Doc. 120] on August 3, 2018, and further ordered that Defendant Hidalgo Medical Services ("HMS") pay a portion Plaintiff's reasonable expenses, including attorney's fees, incurred in making her motion. [Doc. 152] at 3 (citing Fed. R. Civ. P. 37(a)(5)(C)). Plaintiff reports \$3,952.32 in total expenses incurred in making the motion. [Doc. 158] at 5. Because the Court granted about one-half of Plaintiff's requested relief, she asks for one-half of her expenses: **\$1,976.16**. *Id.* at 2. Defendant HMS has not objected to the amount or reasonableness of the claimed expenses, and the time for doing so has passed. *See* [Doc. 152] at 3 (deadline was August 17, 2018). Further, the Court finds that the requested \$1,976.16 is a reasonable apportionment.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that, no later than **September 11, 2018**, Defendant Hidalgo Medical Services pay Plaintiff \$1,976.16, which is the

reasonable apportionment of Plaintiff's expenses incurred in making her Motion to Compel [Doc. 120]. *See* Fed. R. Civ. P. 37(a)(5)(C).

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**